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12 Attorneys for Plaintiff

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15 ANGEL JAMES MENDEZ,

16 Plaintiff,

17 vs.

18 COUNTY OF ALAMEDA, a municipal  
 19 corporation; DEPUTY J. RUSSELL;  
 20 DEPUTY DEREK MEZA  
 21 DOES 1-100, inclusive,

22 Defendants.

) CASE NO. C 03 4485 PJH  
 )  
 ) STIPULATION AND ORDER THEREON  
 ) CONCERNING EXPERT DISCOVERY  
 ) AND DISCLOSURES RE:  
 ) PLAINTIFF'S TREATING  
 ) PHYSICIANS, DRS. ENGLE AND  
 ) YOSHIOKA

) Trial Date: 3/27/2006

23  
 24 THE PARTIES, BY AND THROUGH THEIR ATTORNEYS OF RECORD, DO  
 25 HEREBY AGREE AND STIPULATE THAT:

26 WHEREAS, Plaintiff's treating physicians, Howard  
 27 Yoshioka, M.D., and Kristen Engle, M.D., have been deposed in  
 28 STIP. RE DRS. YOSHIOKA & ENGLE C 03 4485 PJH

1 this action heretofore and have not been specially retained as  
2 experts by either party for purposes of this litigation,

3 IT IS HEREBY STIPULATED AND AGREED THAT neither party  
4 shall be required to produce expert witness reports from Drs.  
5 Yoshioka and/or Engle pursuant to F.R.C.P. 26 as a condition  
6 of calling them to testify and offer opinions at the trial  
7 concerning the plaintiff's medical conditions, the diagnoses,  
8 prognoses, medical care and/or treatment of the plaintiff and  
9 his medical conditions and/or concerning any other matter  
10 about which they testified during the course of their  
11 depositions in this action.

12 IT IS HEREBY FURTHER STIPULATED AND AGREED THAT either  
13 party shall have the right to take a second, video-taped  
14 deposition of Dr. Engle in the event that it is determined  
15 that she will be out of the United States or otherwise  
16 unavailable at the time of the trial in this action.

17 IT IS SO STIPULATED

18 Dated: September <sup>27</sup>28, 2005


  
JAMES B. CHANIN  
Attorney for Plaintiff

19  
20  
21 Dated: September <sup>29</sup>28, 2005  
22 <sup>CA</sup>

  
CLYDE A. THOMPSON  
Attorney for Defendants

23 PURSUANT TO STIPULATION  
24 IT IS SO ORDERED:

25 Dated: October 4, 2005

  
PHYLLIS J. HAMILTON  
JUDGE OF THE UNITED STATES  
DISTRICT COURT